



**CALIFORNIA**  
**High-Speed Rail Authority**

## Fresno to Bakersfield Supplemental EIR/EIS Staff Recommendation: Preliminary Preferred Alternative for Bakersfield Area

Board of Directors Meeting, Agenda Item 3

May 10, 2016

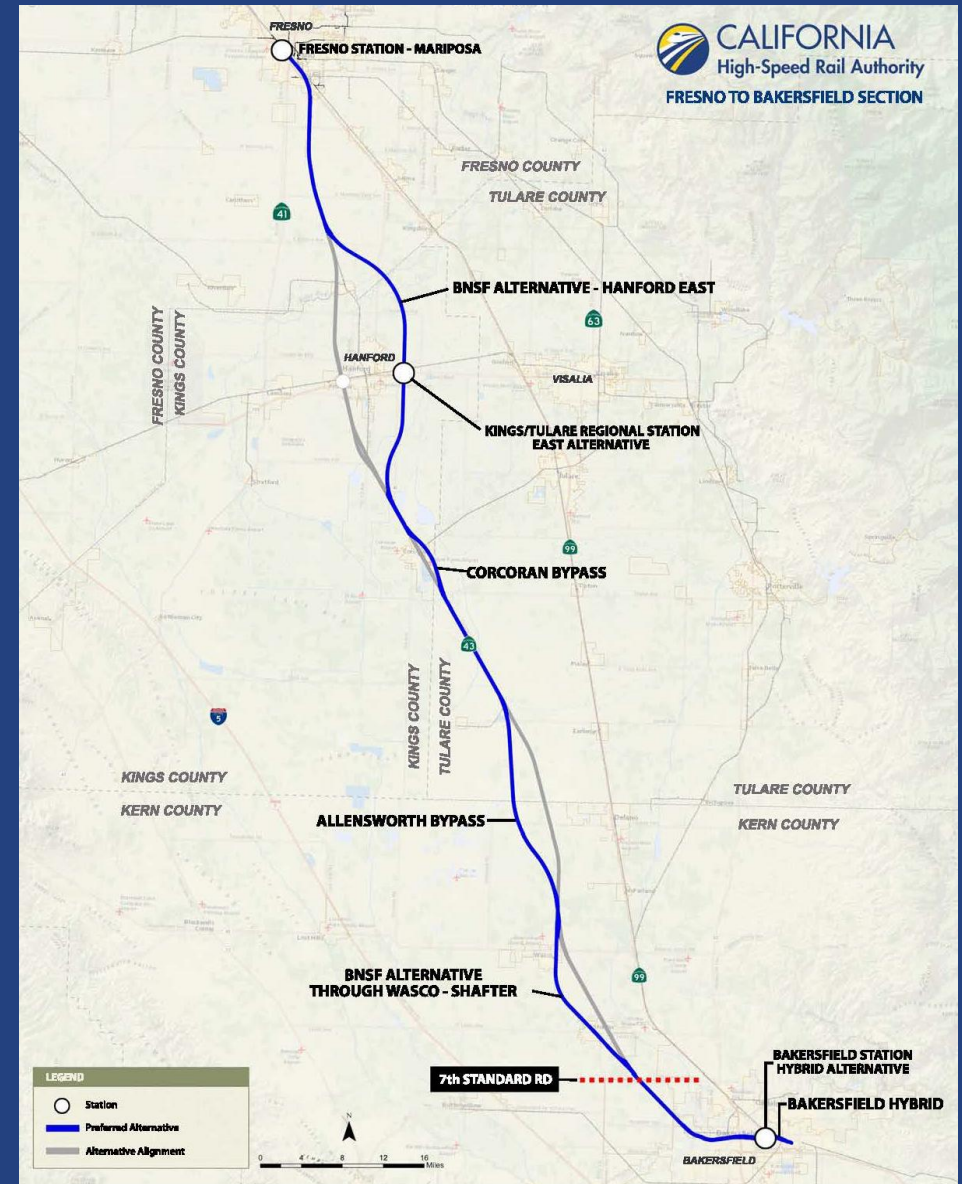
Bakersfield, California



DIANA GOMEZ  
CENTRAL VALLEY REGIONAL DIRECTOR

# FRESNO TO BAKERSFIELD PROJECT SECTION

- 114- Mile Corridor
- Final EIR/EIS Certified Summer of 2014
- Preferred Alternative Included:
  - » Parts of BNSF Alternative
  - » Corcoran Bypass Alternative
  - » Allensworth Bypass Alternative
  - » Bakersfield Hybrid Alternative
  - » Three Stations Locations (Fresno, Kings/Tulare, Truxtun)
- Board Approved all of Preferred Alternative Except in Bakersfield Area



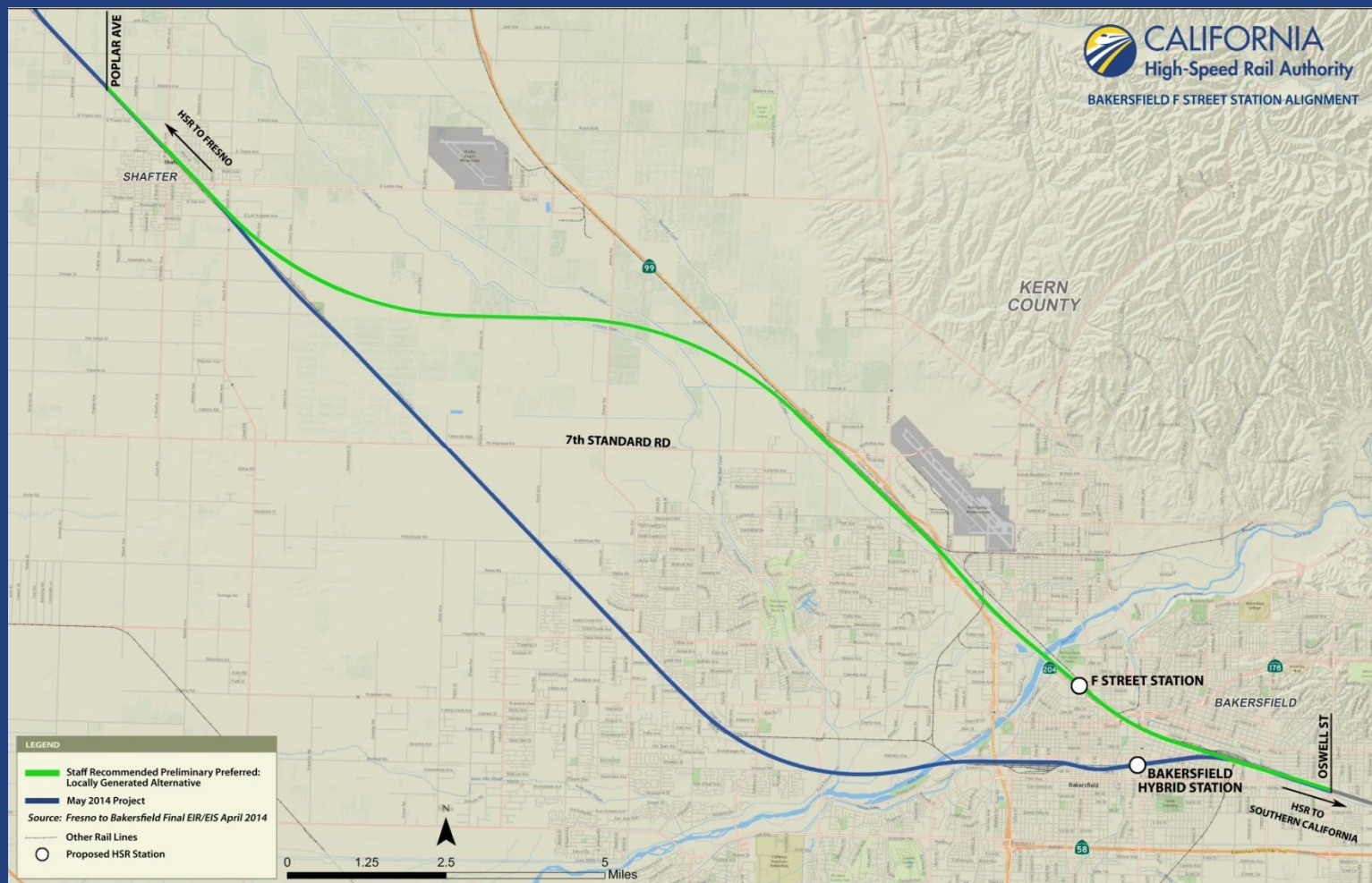
# SETTLEMENT AGREEMENT

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- Summer 2014: Bakersfield Files Legal Challenge to Final Environmental Impact Report/Environmental Impact Statement: Fresno to Bakersfield
- December 2014: Authority Signs Settlement Agreement with City of Bakersfield
  - » Identify a Proposed Conceptual New Alignment and Station Location
  - » Coordination Between City and Authority to Refine Locally Generated Alternative (LGA)
  - » Engagement with Public and Affected Stakeholders
  - » Full discretion to approve an alignment (whether LGA, Hybrid or other) explicitly reserved to the Authority
  - » Environmental impacts of New Alignment to be evaluated in FB Draft Supplemental EIR/EIS (later 2016) and compared with the Hybrid Alignment and Truxtun Station (May 2014 Final EIR/EIS)

# LOCALLY GENERATED ALIGNMENT

- 23-Mile Corridor
- Station at F Street and Golden State Avenue (SR-204)
- Parallels BNSF and UPRR Railroad Corridors



## TODAY'S REQUEST: Based On New Federal Law

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- Request to Board is based on New Federal Law Called Map-21 (2012) and Implementing Guidance (2013/14)
  - » Effectively Requires that a Draft EIR/EIS Identify what NEPA Calls the "Preferred Alternative"
  - » Complies with Board Policies
  - » Is not approval or tentative approval or adoption of anything
- Previously the "preferred alternative" not identified until Final EIR/EIS
  - » Which came after the public review and comment period
  - » Previous process under Merced to Fresno (2011) and Fresno to Bakersfield (2012) documents
- Request is consistent with CEQA, which requires Draft EIR to identify the "proposed project"
  - » Suit against MF EIR alleged CEQA violation for *not* including in DEIR

## TODAY'S REQUEST: Details of New Law

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- Section 1319(b): Requires in most cases combined Final EIS and Record of Decision (ROD) into a single document
  - » Does not alter requirements under other environmental laws
- Provides public a more meaningful opportunity to review and comment on “Preferred Alternative” prior to decision(s)
- Identification of the “Preferred Alternative” in the Draft Supplemental EIR/EIS also provides efficiencies
  - » Checkpoint C coordination with U.S. Army Corps of Engineers and U.S. EPA can be completed earlier in the process
- Fresno to Bakersfield Supplemental EIR/EIS is first project section with the ability to utilize MAP-21 efficiencies

## TODAY'S REQUEST: What is a "Preferred Alternative"?

- Initial identification of alternative that an agency (like HSRA) believes at that point in time would best meet purpose and need and project objectives, pending full analysis and public comment to be received in the Draft EIR/EIS and Final EIR/EIS
- Calling it "Preferred" is not approval or tentative approval
- "Preferred" is the term of art NEPA uses and requires
- Using "Preliminary Preferred" today because tentative concurrence by US EPA and US Army Corps still required before Draft EIR/EIS can identify it as just "Preferred"

ALAN TANDY  
CITY MANAGER  
CITY OF BAKERSFIELD

# LOCALLY GENERATED ALIGNMENT

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- City of Bakersfield's preferred alignment
  - » Fewer impacts to key community facilities
  - » Fewer impacts to residences
  - » Fewer impacts to businesses
  - » Fewer impacted parcels
- Benefits to the City of Bakersfield
  - » Redevelopment opportunity in area of proposed Station
  - » Connectivity to Kern River Bike Trail and Community
- Collaboration
  - » Ongoing Technical Working Group meetings
  - » Joint outreach to local stakeholders and businesses

DIANA GOMEZ  
CENTRAL VALLEY REGIONAL DIRECTOR

## POTENTIAL BENEFITS OF LOCALLY GENERATED ALIGNMENT

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- Shorter Alignment in Miles and Travel Times
- Potentially Fewer Impacts to Homes, Businesses and Schools
- Potential to be More Cost Efficient
- F Street Station Location Would Revitalize Station Location and Area Around Station
- These are Preliminary Assessments
  - » Detailed analysis, informed by the forthcoming environmental document, and public and agency comment, is still to be done

# COMMUNITY ENGAGEMENT

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- Coordination with the Cities of Bakersfield and Shafter
  - » 10 Technical Working Groups (TWG)
- Stakeholder Meetings
  - » More than 30 one-on-one meetings
- Community Open Houses
  - » City of Bakersfield, Aug. 25
  - » City of Shafter, Sept. 17
  - » Joint FRA Open House, Nov. 5
- Activity Center
  - » Mercado Latino Tianguis
- Stakeholder Working Group
  - » Sumner Street Businesses



MARK MCLOUGHLIN  
DIRECTOR OF ENVIRONMENTAL SERVICES

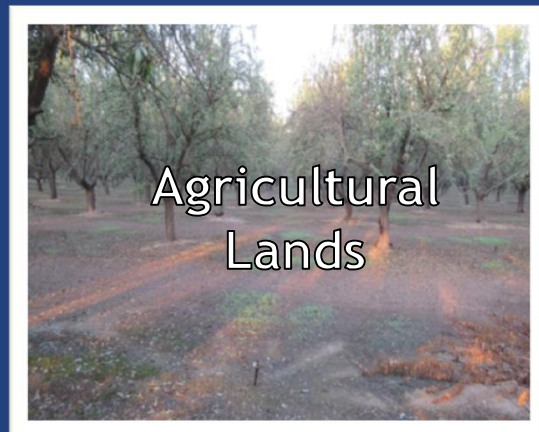
# PRELIMINARY COMPARISON OF THE ALTERNATIVES

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- Staff has performed preliminary evaluation of potential impacts of LGA and compared them to May 2014 Project/Hybrid
- Preliminary evaluation based on:
  - » Environmental resource impacts
  - » Community views
  - » Construction Costs, Operations, and Constructability
  - » Detailed analysis will be done in the full environmental document, informed by public and resource agency comments
- Preliminary Analysis Finds:
  - » Environmental: LGA less impact than Hybrid in many areas (e.g., protected waters), more impact in some areas (e.g., noise)
  - » Cost: LGA appears to be less cost
  - » Operations: LGA appears to offer slightly faster travel time

# MERITS OF THE ALTERNATIVE

Resource Areas demonstrate the merits of the  
Locally Generated Alignment



## SECTION 4(F)

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- Federally funded transportation projects; requirement to evaluate Section 4(f) properties (e.g., parks, refuges, historic sites)
  - » Both alternatives impact Section 4(f) properties
- Relevant 4(f) agency (City of Bakersfield) supports the LGA
  - » The City has indicated that it would concur with a de minimis Section 4(f) finding for the LGA
  - » The City did not concur with the de minimis Section 4(f) finding for the May 2014 Project/Hybrid

# AQUATIC HABITAT

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LGA is the apparent LEDPA as defined in the Clean Water Act

Fewer direct permanent impacts to waters of the U.S. than the Hybrid in terms of area and habitat quality



LGA: South of SR 204, facing northeast.



LGA: View of Union Pacific Railroad from Kern River Parkway Bike Path, facing north.



LGA: View of Calloway Canal (right) and Kern River Canal (left) facing west.

# AQUATIC HABITAT

## 2014 Project/Hybrid

17.03 acres of direct permanent impact to waters

2.26 acres of direct impacts to good quality waters

0.51 acre of direct permanent impact to seasonal wetlands



Hybrid Kern River crossing facing northeast.

## Locally Generated Alignment

16.21 acres of direct permanent impact to waters

0.0 acre of direct impacts to good quality waters

0.0 acre of direct permanent impact to seasonal wetlands



LGA Kern River crossing facing northeast.

# COMMUNITY IMPACTS

## 2014 Project/Hybrid Displacements

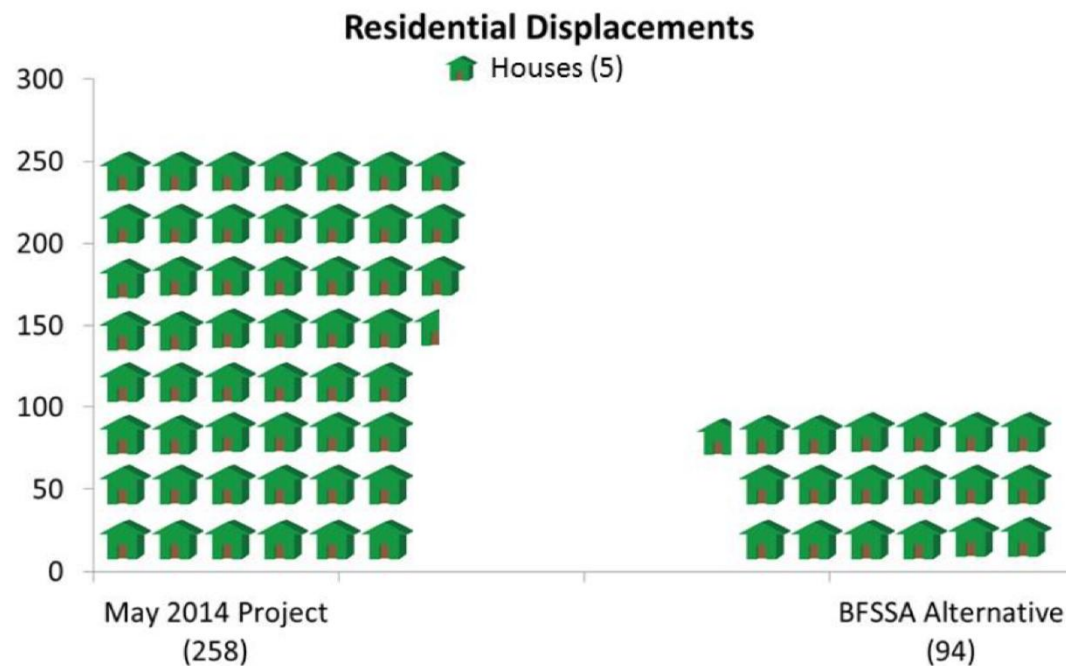
148 single family

15 (110 units) multi-family

## LGA Displacements

17 single family

12 (77 units) multi-family



# AGRICULTURAL LANDS

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LGA would cause nearly \$1.35 million less agricultural business revenue loss annually than the May 2014 Project/Hybrid

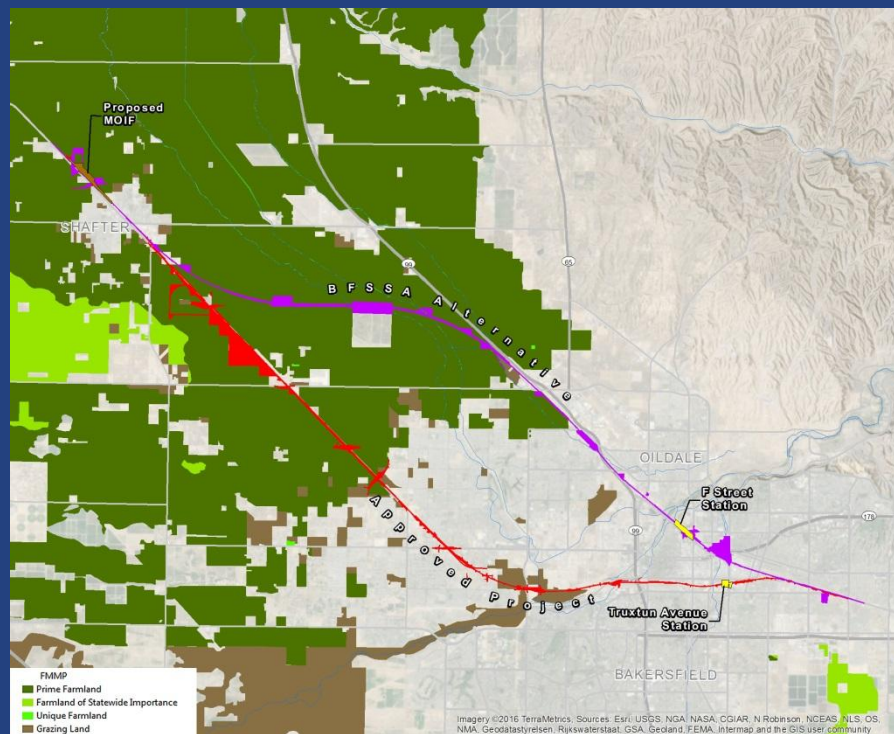
LGA would result in fewer impacts to Important Farmland and Williamson Act Contract Lands



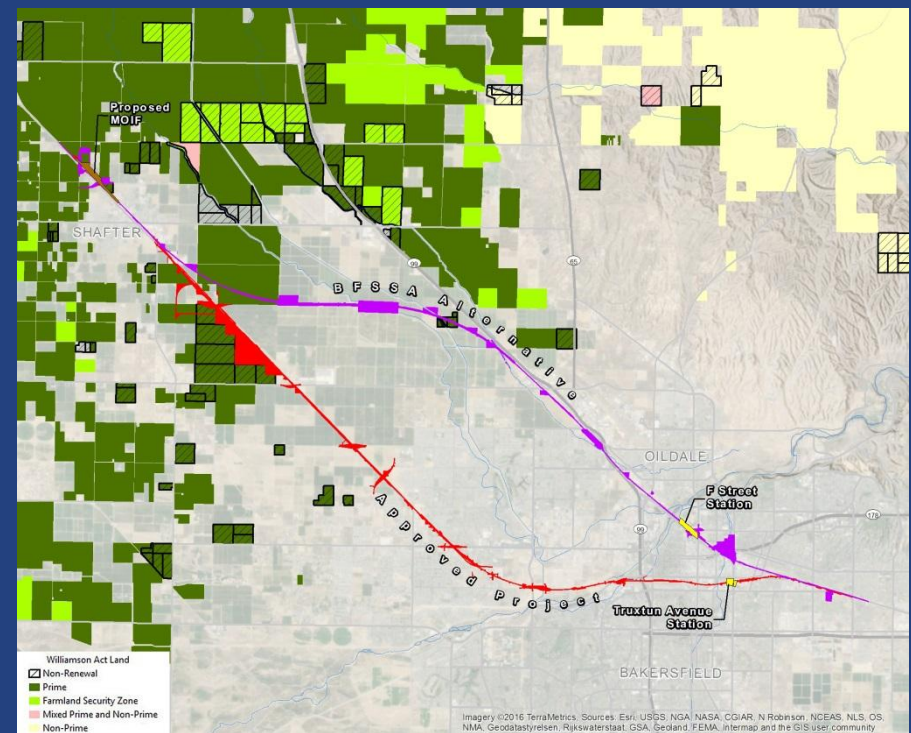
LGA: Overview of almond orchard near Burbank Street and Zerker Road, facing west.

# AGRICULTURAL LANDS

May 2014 Project/Hybrid  
906 acres of Important Farmland  
conversion  
601 acres of permanent impact to  
Williamson Act Contract Lands



Locally Generated Alignment  
655 acres of Important Farmland  
conversion  
252 acres of permanent impact to  
Williamson Act Contract Lands

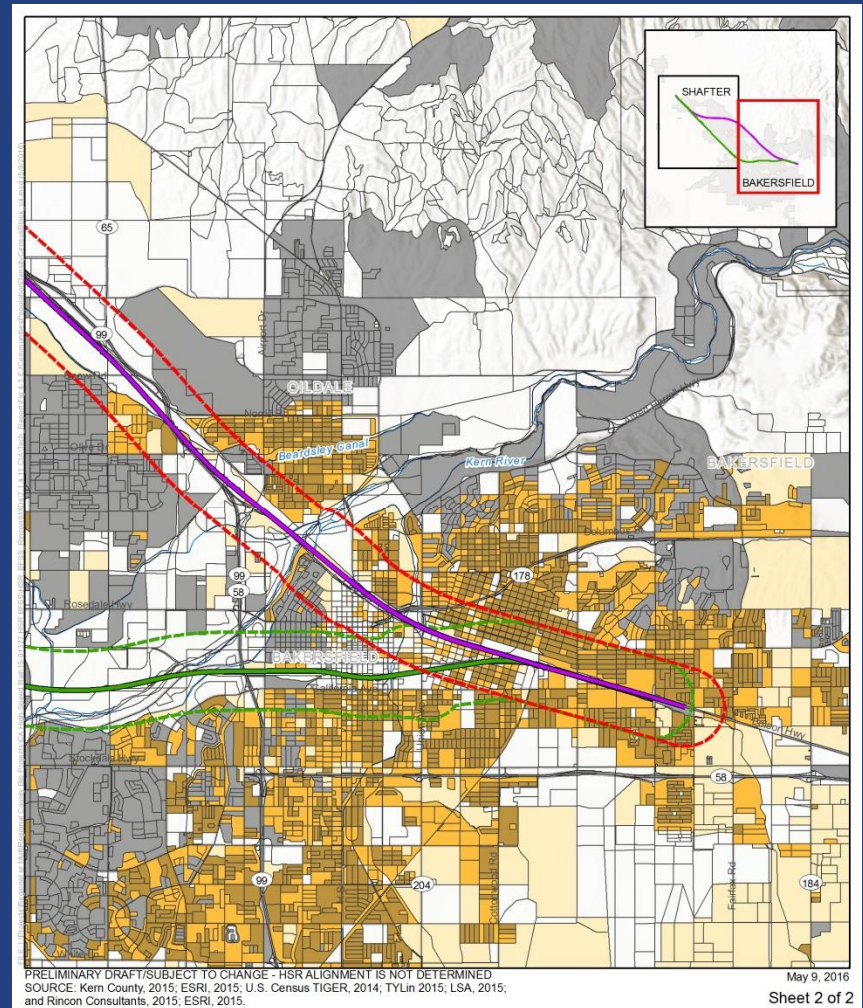
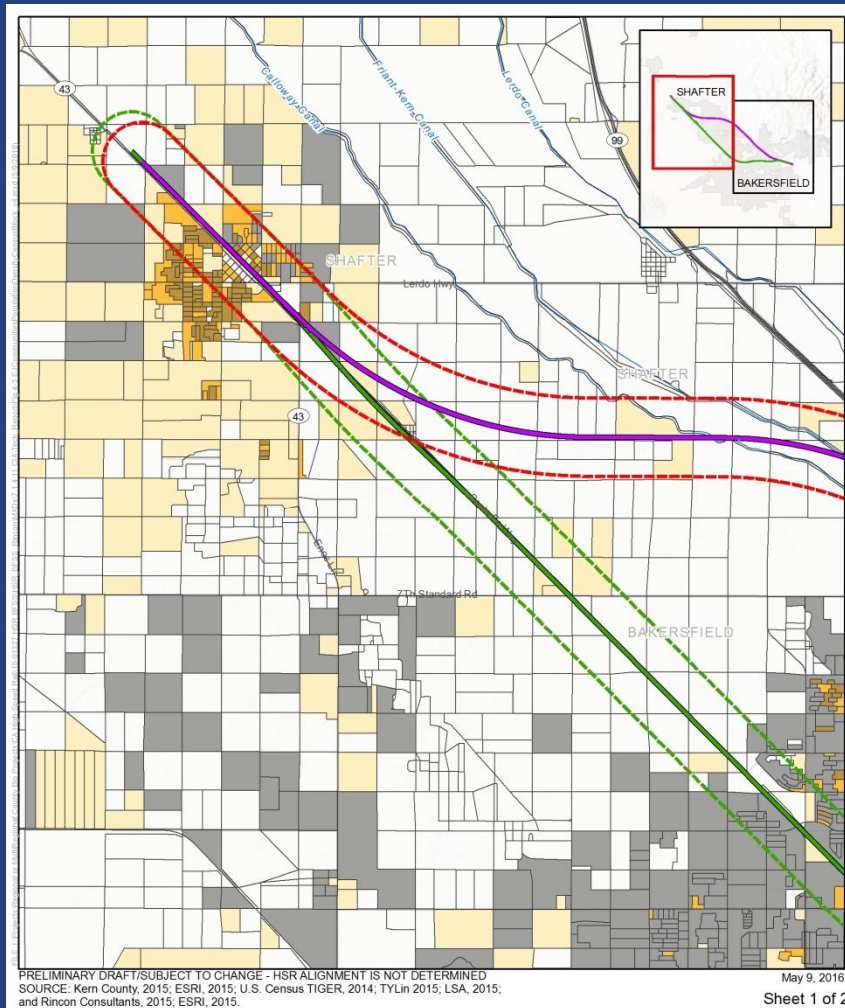


# ENVIRONMENTAL JUSTICE

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- Authority Formalized Title VI Policy in 2012
  - » Includes Environmental Justice Guidance
  - » Strive to inspire environmental justice and equal access
- Racial and low income Environmental Justice communities have been identified in both study areas
- Community Engagement During Entire Process
- Environmental Justice chapter will:
  - » Document outreach and feedback
  - » Assess the proportionate adverse effects on environmental justice communities of LGA vs. Hybrid to inform eventual Board decision
- Committed to continually provide environmental justice system-wide in its programs, policies and activities

# ENVIRONMENTAL JUSTICE: CENSUS DATA



## SUMMARY OF PRELIMINARY ANALYSIS

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- LGA and the May 2014 Project/Hybrid are similar to each other in regards:
  - » Engineering, Maintenance, and Environmental Impacts
- Potential (pending full analysis) merits of the LGA include:
  - » Community support
  - » Fewer direct permanent impacts to aquatic habitats
  - » Significantly less displacement of residential dwellings
  - » Significantly fewer impacts to Important Farmland and Williamson Act Contract Lands
  - » Higher design speed, shorter trip time, and lower anticipated cost

## NEXT STEPS

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- Board concurrence to identify LGA as the Preferred Alternative in Draft Supplemental EIR/EIS, pending USEPA and Army Corps concurrence
- Continue engagement with Bakersfield, Shafter, Kern County, key stakeholders, and environmental justice communities
- Circulate the Draft Supplemental EIR/EIS
- Agency and public review period (45-day period)
- Respond to comments, issue the Final SEIR/SEIS
- Compare LGA and Hybrid, then make decision



## BOARD REQUEST/ACTION

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Identify the LGA as the Preliminary Preferred Alternative.

Request concurrence from the U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency that the LGA is the tentative Least Environmentally Damaging Practicable Alternative as defined by the Clean Water Act.

After concurrence, LGA would be identified in the Draft Supplemental EIR/EIS as the Preferred Alternative